

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

& CAPITAL PARTNERS, L.P. et al,
Plaintiff,

No. C01-04740 MJJ
No. C03-04579 MJJ

v.

UNITED STATES OF AMERICA,
Defendant.

**FURTHER ORDER REGARDING
CONDITIONAL DISMISSAL**

LEONARD BOSACK, et al,
Plaintiff,

v.

UNITED STATES OF AMERICA,
Defendant.

On March 15, 2007, this Court issued an Order of Conditional Dismissal after the parties advised the Court that they had agreed to a settlement. (Docket No. 74.) On April 27, 2007, the parties jointly notified the Court that, although the United States has formally accepted Plaintiffs' offer, additional time is needed to complete refund calculations.

Accordingly, IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided, however, that if any party hereto shall certify to the Court, within thirty (30) days of this Order, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: 5/3/2007



MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE